## No. 75

# **MICHIGAN SENATE**

## **DAILY CALENDAR**

WEDNESDAY, OCTOBER 15, 1997 10:00 a.m.

### MESSAGES FROM THE HOUSE

\_\_\_ 1 \_\_\_\_

#### SB 178 Sen. DeGrow

Appropriations; school aid; department of education and school aid; provide for fiscal year 1997-1998.

Amends secs. 3, 6, 11, 13, 17b, 18, 20, 24, 26, 31a, 36, 39, 41, 51a, 52, 53a, 54, 56, 57, 58, 61a, 62, 74, 81, 94, 99, 101, 104a, 107, 108, 111, 124, 147, 151, 163, 167 & 169a of 1979 PA 94 (MCL 388.1603 et seq.); adds secs. 17d, 20g, 20j, 26a, 61b, 61c & 61d & repeals 1974 PA 97 (MCL 388.1311 - 388.1319) & repeals secs. 11, 20, 99 & 108 of 1979 PA 94.

I.E. House, September 25, 1997.

Returned from House with substitute (H-1), Tuesday, September 30; laid over under the rules.

House substitute (H-1).

\_\_\_\_ 2 \_\_\_\_\_

### **HB** 4642 Rep. Profit

Sales tax; exemptions; fuel used in pipeline compressors; exempt.

Amends sec. 4a of 1933 PA 167 (MCL 205.54a).

I.E. House, June 5, 1997.

I.E. Senate, July 9, 1997.

Senate substitute (S-8).

Returned from House with substitute (H-1) to Senate substitute (S-8), Thursday, October 9; laid over under the rules.

House substitute (H-1).

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## **HB** 4643 Rep. Perricone

Use tax; exemptions; fuel used in pipeline compressors; exempt.

Amends sec. 4 of 1937 PA 94 (MCL 205.94).

I.E. House, October 8, 1997.

I.E. Senate, July 9, 1997.

Senate substitute (S-5).

Returned from House with substitute (H-1) to Senate substitute (S-5), Thursday, October 9; laid over under the rules.

House substitute (H-1).

#### THIRD READING OF BILLS

**—** 4 **—** —

## HB 4509 Rep. Dobb

Use tax; exemptions; uncollectible account exemption for telecommunication services; provide for.

Amends 1937 PA 94 (MCL 205.91 - 205.111) by adding sec. 8.

I.E. House, May 14, 1997.

For House amendment, see House Journal No. 24, page 446.

Reported by Committee on Finance. Committee recommended I.E.

\_\_\_\_\_ 5 \_\_\_\_

### **HB** 4773 Rep. Profit

Single business tax; tax base; retail sale of certain agricultural goods; clarify.

Amends sec. 35 of 1975 PA 228 (MCL 208.35).

I.E. House, May 27, 1997.

House substitute (H-2).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

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## **SJR E** Sen. Hoffman

Transportation; other; state transportation commission; repeal.

Repeals sec. 28, art. V of the state constitution.

Reported by Committee on Appropriations.

For Senate amendment, see Senate Journal No. 50, page 833.

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## **HB** 4080 Rep. Crissman

Insurance; health maintenance organizations; definition of emergency health services; revise and provide for coverage in certain circumstances.

Amends sec. 21004 of 1978 PA 368 (MCL 333.21004) & adds sec. 21053c.

I.E. House, July 8, 1997.

House substitute (H-3).

Reported by Committee on Health Policy and Senior Citizens.

Committee recommended I.E.

## **GENERAL ORDERS**

\_\_\_\_ 8 \_\_\_\_\_

#### **SB** 716 Sen. Bullard

Sales tax; collections; sale of prepaid telephone calling cards and authorization numbers; include as sale at retail.

Amends sec. 1 of 1933 PA 167 (MCL 205.51).

Reported by Committee on Finance.

For Senate amendment, see Senate Journal No. 70, page 1459.

Committee recommended I.E.

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### SB 721 Sen. Bullard

Use tax; exemptions; uncollectible account exemption for telecommunication services; provide for.

Amends sec. 4 of 1937 PA 94 (MCL 205.94).

Reported by Committee on Finance.

For Senate amendment, see Senate Journal No. 70, page 1459.

Committee recommended I.E.

\_\_\_\_ 10 \_\_\_\_

#### **SB** 664 Sen. Bullard

Local government; other; procedures for investments of surplus funds; revise.

Amends title & secs. 1 & 3 of 1943 PA 20 (MCL 129.91 & 129.93); adds secs. 5 & 6 & repeals secs. 2 & 4 of 1943 PA 20 (MCL 129.92 & 129.94).

Reported by Committee on Finance.

Senate substitute (S-1).

**Committee recommended I.E.** 

— 11 ——

## HB 4221 Rep. Brackenridge

Elections; ballots; guidelines for counting certain markings on ballots; provide for and clarify voter intent standards.

Amends secs. 799a & 803 of 1954 PA 116 (MCL 168.799a & 168.803).

I.E. House, April 8, 1997.

House substitute (H-1).

Reported by Committee on Government Operations.

Senate substitute (S-2).

Committee recommended I.E.

<del>\_\_\_\_ 12 \_\_\_\_\_</del>

### SB 280 Sen. Van Regenmorter

Criminal procedure; probation; requirement that mandatory life term of probation be imposed for certain controlled substance violations; eliminate in public health code.

Amends secs. 7401 & 7403 of 1978 PA 368 (MCL 333.7401 & 333.7403).

Reported by Committee on Judiciary. Senate substitute (S-2).

\_\_\_\_ 13 \_\_\_\_\_

#### SB 281 Sen. Rogers

Corrections; parole; parole of individuals convicted of certain controlled substance violations; allow under certain circumstances.

Amends secs. 34 & 36 of 1953 PA 232 (MCL 791.234 & 791.236).

Reported by Committee on Judiciary.

Senate substitute (S-1).

### **GENERAL ORDERS**

**—** 14 **—** 

#### SB 554 Sen. Bennett

Environmental protection; hazardous waste; transportation of hazardous materials; regulate.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 15 \_\_\_\_\_

#### SB 642 Sen. Bouchard

Environmental protection; incinerators; prohibition of solid waste incinerators located within 1,000 feet of a residence, school, hospital, or nursing home; delete sunset.

Amends sec. 5502 of 1994 PA 451 (MCL 324.5502).

Reported by Committee on Natural Resources and Environmental Affairs.

For Senate amendments, see Senate Journal No. 73, page 1499.

**Committee recommended I.E.** 

\_\_\_\_ 16 \_\_\_\_\_

## SB 729 Sen. Bennett

Environmental protection; hazardous waste; hazardous waste regulations; amend to conform to hazardous materials transportation act.

Amends secs. 11104, 11126, 11130, 11133, 11138, 11144, 11146, 11147 & 11148 of 1994 PA 451 (MCL 324.11104 et seq.); adds sec. 11132a & repeals sec. 11132 of 1994 PA 451 (MCL 324.11132).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

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### SB 730 Sen. Bennett

Environmental protection; hazardous waste; liquid industrial waste regulations; conform to hazardous materials transportation act.

Amends secs. 12101, 12102, 12103, 12105, 12106, 12107, 12109, 12114 & 12116 of 1994 PA 451 (MCL 324.12101 et seq.) & repeals secs. 12104, 12108, 12110 & 12118 of 1994 PA 451 (MCL 324.12104 et seq.).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

#### SB 731 Sen. Bennett

Environmental protection; hazardous waste; hazardous waste and liquid industrial waste violators; make subject to forfeiture provisions in the revised judicature act.

Amends sec. 4701 of 1961 PA 236 (MCL 600.4701).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

<del>\_\_\_\_\_ 19 \_\_\_\_\_\_\_</del>

## SB 520 Sen. Shugars

Libraries; district; certain areas excluded from proposed district library district; clarify.

Amends sec. 3 of 1989 PA 24 (MCL 397.173).

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

- 20 -----

#### **HB** 4025 Rep. Ciaramitaro

Counties; employees and officers; suggested plain English notary forms and notices; provide for.

Amends 1846 RS 14 (MCL 55.107 - 55.117) by adding sec. 112a.

I.E. House, March 12, 1997.

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

\_\_\_\_ 21 \_\_\_\_

## SB 698 Sen. Schuette

Economic and industrial development; tax increment financing; definition of and reference to certain other protected obligations; modify.

Amends secs. 1 & 12a of 1980 PA 450 (MCL 125.1801 & 125.1812a).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 22 \_\_\_\_\_

## SB 699 Sen. Schuette

Economic and industrial development; downtown development authorities; definition of and reference to certain other protected obligations; modify.

Amends secs. 1 & 13b of 1975 PA 197 (MCL 125.1651 & 125.1663b).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 23 -

## SB 73 Sen. Cisky

Retirement; reciprocal retirement system; payment of retirement allowance by preceding reciprocal retirement system; remove requirement that individual be 60 years old to be eligible.

Amends sec. 4 of 1961 PA 88 (MCL 38.1104).

Reported by Committee on Appropriations.

For Senate amendments, see Senate Journal No. 73, page 1502.

Committee recommended I.E.

\_\_\_\_\_ 24 \_\_\_\_\_

#### SB 720 Sen. Steil

Taxation; revenue sharing; report on revenue sharing task force recommendations; extend date for submission to the legislature.

Amends sec. 11a of 1971 PA 140 (MCL 141.911a).

Reported by Committee on Appropriations.

Committee recommended I.E.

\_\_\_\_ 25 \_\_\_

## SB 741 Sen. Gast

Courts; funding; act allowing collection of court-ordered fines, costs, and fees; eliminate sunset.

Amends 1993 PA 316 (MCL 12.131 - 12.140) by repealing sec. 10.

Reported by Committee on Appropriations. Committee recommended I.E.

#### **GENERAL ORDERS**

- 26 -----

#### SB 683 Sen. Bouchard

Financial institutions; banks; interstate branching; allow establishment of an out-of-state national bank.

Amends sec. 171 of 1969 PA 319 (MCL 487.471).

Reported by Committee on Financial Services. Committee recommended I.E.

\_\_\_\_ 27 \_\_\_\_\_

## **HB** 4728 Rep. Profit

Crimes; other; property and services with counterfeit trademark or other identification; prohibit sale, delivery, possession, or advertising and provide penalties and forfeiture.

Amends secs. 263 & 264 of 1931 PA 328 (MCL 750.263 & 750.264) & repeals sec. 265 of 1931 PA 328 (MCL 750.265).

I.E. House, May 21, 1997.

For House amendment, see House Journal No. 44, page 933.

**Reported by Committee on Financial Services.** 

For Senate amendments, see Senate Journal No. 74, page 1520.

Committee recommended I.E.

\_\_\_\_ 28 \_\_\_\_\_

## HB 4729 Rep. Profit

Criminal procedure; forfeiture; trademark counterfeiting violations; permit forfeiture.

Amends sec. 4701 of 1961 PA 236 (MCL 600.4701).

I.E. House, May 21, 1997.

For House amendment, see House Journal No. 44, page 933.

Reported by Committee on Financial Services.

For Senate amendment, see Senate Journal No. 74, page 1521.

Committee recommended I.E.

## HB 4768 Rep. Brater

Financial institutions; checks and drafts; identification of drawer; prohibit merchants from requesting certain information as a condition of acceptance of personal checks and provide for prima facie evidence of identity of drawer.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding sec. 2964.

I.E. House, May 27, 1997.

Reported by Committee on Financial Services.

For Senate amendment, see Senate Journal No. 74, page 1521.

Committee recommended I.E.

— 30 —

#### SB 613 Sen. Bullard

Vehicles; registration; disclosure of certain information regarding lessees' identification; require under certain circumstances.

Amends secs. 217 & 222 of 1949 PA 300 (MCL 257.217 & 257.222).

Reported by Committee on Transportation and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

## **GENERAL ORDERS**

<del>\_\_\_ 31 \_\_\_\_\_</del>

### SB 634 Sen. Gougeon

Vehicles; other; employment of limousine drivers; require background check.

Amends 1990 PA 271 (MCL 257.1901 - 257.1939) by adding sec. 8.

Reported by Committee on Transportation and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 32 \_\_\_\_\_

## SB 684 Sen. Bouchard

Transportation; other; verification of eligible limousine driver license; provide for.

Amends sec. 311 of 1949 PA 300 (MCL 257.311).

Reported by Committee on Transportation and Tourism.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_ 33 \_\_\_\_

#### SB 600 Sen. Geake

Social services; medical services; county maintenance of effort rate; extend sunset.

Amends sec. 109 of 1939 PA 280 (MCL 400.109).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

Committee recommended I.E.

## HB 4646 Rep. Brown

Veterans; benefits; definition of "Vietnam era"; revise. Amends sec. 1 of 1965 PA 190 (MCL 35.61).

I.E. House, May 14, 1997.

For House amendment, see House Journal No. 42, page 891.

Reported by Committee on Human Resources, Labor and Veterans Affairs.

Senate substitute (S-1).

Committee recommended I.E.

<del>\_\_\_\_ 35 \_\_\_\_\_</del>

## HB 4815 Rep. Tesanovich

Labor; youth employment; age requirement for youths employed as hockey referees; establish.

Amends sec. 3 of 1978 PA 90 (MCL 409.103).

I.E. House, July 3, 1997.

For House amendment, see House Journal No. 64, page 1682.

Reported by Committee on Human Resources, Labor and Veterans Affairs.

Senate substitute (S-1).

Committee recommended I.E.

#### RESOLUTIONS

<del>\_\_ 36 \_\_\_\_\_</del>

## **SR** 71 Sen. McManus

A resolution concurring in the tribal-state gaming compacts negotiated between the Governor and the Little River Band of Ottawa Indians, the Pokagon Band of Potawatomi Indians, the Little Traverse Bay Bands of Odawa Indians, and the Nottawaseppi Huron Band of Potawatomi.

Reported by Committee on Gaming and Casino Oversight.

For text of resolution, see Senate Journal No. 51, page 860.

Adoption pending.

### **COMMITTEE REPORTS**

\_\_\_\_\_ 37 \_\_\_\_\_

#### SB 72 Sen. Cisky

Education; public school academies; enrollment in public school academy; allow academy to limit to court-placed pupils in certain circumstances.

Amends secs. 504 & 514 of 1976 PA 451 (MCL 380.504 & 380.514).

Reported by Committee on Education.

Senate substitute (S-4).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 38 \_\_\_\_\_

### SB 190 Sen. Steil

Education; other; uniforms in public schools; encourage public schools to require.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1310.

Reported by Committee on Education.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 39 \_\_\_\_\_\_

#### SB 202 Sen. Steil

Education; board members; school elections; require to be held with general election, make other revisions in school elections, and repeal certain election provisions in school code.

Amends secs. 3, 5, 6, 11a, 613, 616, 617, 661, 687, 701, 702, 703, 705, 856, 857, 858, 859, 860, 861, 932, 945, 1361 & 1732 of 1976 PA 451 (MCL 380.3 et seq.); adds secs. 1206 & 1351c & repeals sec. 662 of 1976 PA 451 (MCL 380.662), pt. 12 of 1976 PA 451 (MCL 380.1001 - 380.1071) & pt. 14 of 1976 PA 451 (MCL 380.1101 - 380.1106).

Reported by Committee on Education.

Recommendation to refer to Committee on Government Operations.

Refer to Committee on Government Operations pursuant to Rule 2.203.

#### **COMMITTEE REPORTS**

**-** 40 **-**--

#### SB 313 Sen. Stille

Education; discipline; expulsion of student who assaults a teacher with a firearm; provide for.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1311a.

Reported by Committee on Education.

Senate substitute (S-1).

Refer to Committee of the Whole pursuant to Rule 3.701.

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### SB 689 Sen. Shugars

School aid; other; nonresident pupil enrolling and being counted in membership in another school district; allow without approval of school district of residence if pupil is victim of sexual or other assault or sexual harassment.

Amends sec. 6 of 1979 PA 94 (MCL 388.1606).

Reported by Committee on Education.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

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## (Eligible for passage Sunday, October 19.)

SB 755 Sen. Bennett

Criminal procedure; sentencing; sentencing enhancement for crime committed against teacher, school employee, or student; provide for.

Amends 1927 PA 175 (MCL 760.1 - 776.22) by adding sec. 15 to ch. IX.

Reported by Committee on Education.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### **SCHEDULED MEETINGS**

## **Appropriations -**

Subcommittee -

**Capital Outlay, Joint -** Thursday, October 16, 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Economic Development, International Trade and Regulatory Affairs -** Wednesday, October 15, 1:00 p.m., Room 210, Farnum Building (373-7946)

**Families, Mental Health and Human Services -** Thursday, October 16, 1:00 p.m., Room 100, Farnum Building (373-1777)

**Financial Services -** Wednesday, October 15, 1:00 p.m., 8th Floor Conference Room, Farnum Building (373-2523)

**Gaming and Casino Oversight -** Wednesday, October 15, 2:00 p.m., 8th Floor Conference Room, Farnum Building (373-2523)

**Legislative Council -** Thursday, October 30, 12:30 p.m., Room 402, Capitol Building (373-0212)

**Michigan Sentencing Commission -** Thursday, October 16, 3:00 p.m., Kellogg Center, East Lansing (373-7676)

**Michigan Trial Court Assessment Commission -** Friday, October 17, 10:00 a.m., 3rd Floor Conference Room, Farnum Building (373-7000)